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NEGRO SLAVERY.

A BRIEF VIEW OF THE MEASURES PROPOSED TO BE ADOPTED BY HIS MAJESTY'S GOVERNMENT, AND OF THE MANNER IN WHICH THEY HAVE BEEN CARRIED INTO EFFECT BOTH IN THE CROWN AND IN THE CHARTERED COLONIES TO THIS TIME, JULY 25TH, 1830.

1.—*To provide the means of Education and religious Instruction for the Slaves.*

NEITHER in the Crown nor in the Chartered Colonies has a single legal provision been made for securing either the education or the religious instruction of the Slaves. Sir George Murray in his circular letter to the Governors of chartered colonies, of the 15th September, 1828, (See Anti-Slavery Reporter, No. 52, p. 54,) urges it upon them with great force that *provision should be made for these objects by law*; and yet the new Consolidated Slave Code for the crown colonies, contained in the Order of the King in Council of the 8th of February last, and which is held out as the model of legislation for the chartered colonies, makes not the slightest provision on the subject. (See Anti-Slavery Reporter, No. 58, p. 148.)

2.—*To put an end to Sunday markets.*

The Order of the 8th February last abolishes Sunday markets in all the *crown* colonies, and empowers the Governor to appoint another day for that purpose. Two of the *chartered* colonies, Grenada and Tobago, have also abolished Sunday markets. The others, instead of abolishing, have legalized and established them, only limiting their duration, in one colony, that of Barbadoes, to nine, and in other colonies to eleven o'clock. But even these enactments are altogether illusory, no relief being thereby given to the slaves, nor any boon conferred upon them, as will appear under the succeeding head.

3.—*To make Sunday, which has hitherto been to the slaves a day of labour in their provision grounds, henceforward a day of rest and religious observance, by allowing them equivalent time in lieu of Sunday, for cultivating their provision grounds and for marketing.*

In no one instance has this recommendation been complied with. In no colony, whether *crown* or *chartered*, has equivalent time in lieu of Sunday been given by law to the slave, so that the mere prohibition of Sunday markets, or the mere appointment of another market day, even where such prohibition and appointment have taken place, will not afford to the slave the opportunities of rest or religious observance, or the power of attending the market on any week day unless that day is secured to him by law. In fact, no equivalent time being allotted to him for that labour of raising provisions for himself and family, to which the Sunday has hitherto been devoted, he must of necessity still employ his Sunday for that object, otherwise he and his family must starve. This point will be found fully explained and proved in the Reporters, No. 41, p. 315—318, No. 52, p. 67, No. 58, p. 134—139, and No. 60, p. 196—199. It will be found further illustrated and proved at p. 19, 20, &c. of a pamphlet recently published by the Rev. Mr. Barry, a Methodist Missionary, from Jamaica, under the title of “a letter to Sir George Murray.” What possibility can exist either of rest or religious observance on the

Sabbath under such circumstances? And yet it is hypocritically argued that to make the slaves religious, is a necessary prelude to their freedom; and that all idea of their emancipation must be postponed till this first step shall have been taken. But after seven years of promise this first step has not yet been taken in any colony, nor if left to the colonists themselves will it ever be taken. In order to education and instruction time is obviously required, and that time they have not given, and will not give, even to the children. The universal refusal of the colonists to grant to the slaves equivalent time in lieu of Sunday, when viewed in connection with the clauses, in the disallowed Acts of Jamaica, which prohibit the slaves from attending divine worship between sunset and sunrise (all their other time being passed in hard labour) proves most clearly, notwithstanding the professions of the colonists, that their real object is to prevent, not to promote education and religious instruction.

4.—*To admit the testimony of slaves in civil and criminal cases.*

In the new Order the evidence of slaves is made admissible in all the *crown* colonies in the same manner as that of free persons; except that a court or jury may advert to their servile state as affecting their credit. (See Anti-Slavery Reporter, No. 58, p. 146.)

Of the *chartered* colonies Grenada alone has admitted the evidence of slaves without restriction. In the other chartered colonies the restrictions imposed on that admission are of such a nature as to render their *apparent* concessions perfectly futile and valueless. (See *ibid.* No. 33, p. 180, No. 38, p. 266, No. 43, p. 348, &c.)

5.—*To legalize the marriages and to protect the connubial rights of slaves.*

The new Order of February last, legalizes slave marriages in the *crown* colonies, by all classes of religious teachers, it being provided however that such marriages shall not invest the parties or their progeny with any rights at variance with the owners title to them and their services. (See *ibid.* No. 58, p. 131, and 141.)

In none of the *chartered* colonies are either adequate facilities or sanctions given to marriage, on the contrary in all of them the most absurd impediments are interposed. (See *ib.* No. 29, No. 33, p. 179, No. 38, p. 265, No. 43, p. 347, No. 48, p. 279, and No. 60, p. 195.)

6.—*To prevent the separation of Families by Sale.*

The new Order in Council is a great improvement on the former Orders, inasmuch as it prohibits, in all the *crown* colonies, the separation of families, not by judicial sales only, but by sales of whatever kind. No adequate provision however has been made for obtaining and preserving a record of those family ties which the law forbids to be broken.

In all the *chartered* colonies the pretended attempts to remedy this evil, are in a remarkable degree evasive and worthless. (See *ib.* No. 18, p. 251—254; No. 19, p. 272, & No. 28, p. 85—90; No. 33, p. 179; No. 38, p. 264—274, and No. 52, p. 74.)

7.—*To protect the Slaves by law in acquiring, possessing, and transmitting Property.*

The new Order in Council confers on the Slaves in the *crown* colonies, the right of property; and the right also of prosecuting and defending

actions at law in respect to such property. Slaves however, are debarred in all the colonies, whether crown or chartered, from cultivating or possessing, buying or selling any of the staple articles of culture, such as sugar, coffee, indigo, cotton, &c. &c. &c. (See *ib.* No. 58, p. 142.)

The legislatures of the various *chartered* colonies, have pretended to legislate on this subject, but their enactments are of the most ineffective and delusive description. (See *ib.* No. 29, p. 103; No. 33, p. 179; No. 37, p. 242; No. 38, p. 264—274, and No. 60, p. 201.)

8.—*To grant to the Slaves a right of redeeming themselves or any of their family, at a fair appraisement.*

In none of the *chartered* colonies is this right given to the Slaves.

In all the *crown* colonies the new Order has imposed the compulsory manumission clause (a clause however which falls far short of the Spanish law)—but it introduces some new and oppressive provisions to the disadvantage of the Slave. One is that if a donation shall be given to the Slave to enable him to purchase his freedom, the manumission shall be void. Another is that if an owner or manager shall allege, that within the preceding five years a slave had committed a theft, all further proceedings towards his manumission shall be stayed for five years. (See *ib.* No. 58. p. 132—145.)

9.—*To limit the power of arbitrary punishment possessed by the master and his agents, and to restrain its abuse.*

The new Order of February 1830, omits that clause in the former Order, which inhibited the master from inflicting punishment on his slave until 24 hours had elapsed—a most unhappy omission when the violent and impetuous habits of those who have the power of arbitrary punishment in their hands is considered.

The master, in the *crown* colonies, and by the legislatures of two or three of the *chartered* colonies, is limited to the infliction of 25 lashes at one time,—but in the *chartered* colonies generally, the power of punishment remains as it was. Not only may 39 lashes of the cart-whip be inflicted on any man, woman or child, for any offence or for no offence, and without being obliged, within that limit, to render a reason for the infliction; but the master may further imprison in the stocks or in the workhouse, for any length of time he may think proper, without being liable to any penalty for so doing. (See *ib.* No. 60, p. 205.)

10.—*To provide that a regular record shall be kept, and a regular return made of all arbitrary punishments by the master or his agents.*

The necessity of this record even in the *crown* colonies is confined to *plantations*, and it is not required in the case of mechanics, domestics, &c. not attached to plantations;—and yet these are still more exposed to the excesses of passion and caprice than even the field-slaves themselves. (See *ib.* No. 58, p. 141.)—In none of the *chartered* colonies is any return required of arbitrary punishments by the master, or even any adequate record of such punishments.

11.—*To abolish entirely the practice of flogging Females.*

In the *crown* colonies, female flogging is abolished—but it is not abolished in any one of the *chartered* colonies. The Assembly of Jamaica refused by a large majority, to enact that women should cease to be *indecently flogged*. (See *ib.* No. 29, p. 107.)

- 12.—*To abolish entirely the use of the driving-whip in the field, as a stimulus to labour.*

Of the *chartered colonies*, the Bahamas alone (where there never was any driving) has abolished the driving-whip. In the new Order for the *crown colonies*, there is a change of terms in the prohibitory clause on this subject which, it is feared, may open a door to great abuse. The former Order forbade the use of "any whip, cat or other instrument of like nature," "*for the purpose of compelling or causing any slave to perform labour of any kind or nature whatsoever.*" The present Order omits the clause in italics, and forbids the use of "any cat, whip or other instrument usually employed in the punishment of slaves;" instead of "*other instrument of like nature*"—so that a goad might, under this new form of expression, be used to stimulate the labour of the human team if a master saw fit to use it. (See *ib.* No. 58, p. 130—139.)

- 13.—*To appoint protectors of the Slaves in every Colony.*

This is done only in the *crown colonies*. The *chartered colonies* have all refused to appoint a Protector of slaves.

- 14.—*To provide that in future no person being a Protector of Slaves, or interested in Slave property, should be appointed by the Crown to the offices of Protector of Slaves, Governor, Judge, Fiscal, Attorney-General, Bishop, Clergyman or salaried Teacher, and generally to any function connected with the administration of the Slave laws.*

This has been carried into full effect in the *crown colonies* with respect to Protectors, but not with respect to *Assistant Protectors* (See *ib.* No. 58, p. 133). These are, to a man, Slave proprietors.

In the *chartered colonies* this proposed reform has had little or no operation hitherto—except that it is believed that the Government have not lately appointed Governors or Judges from among slave holders.

- 15.—*To provide that in questions involving the Slavery or freedom of individuals, the presumption of law shall be in favour of freedom.*

This rule has been adopted by Grenada, but by no other of the *chartered Colonies*. In the *crown Colonies* of Trinidad and St. Lucia, it is also acted upon.

- 16.—*To purify the administration of justice.*

No steps have yet been taken to this end.

No measures have been taken or even proposed by Government, for abating the intensity, or shortening the duration of that excessive toil, which is, at this moment, wasting negro life at a dreadful rate.

But even were this and all the other measures enumerated above, carried into full effect, it could only be regarded as a step towards that consummation which is never to be lost sight of, THE EARLY AND TOTAL ABOLITION OF SLAVERY THROUGHOUT THE BRITISH DOMINIONS.



